

Agenda Item 6.

TITLE	Overview and Scrutiny Refresh
FOR CONSIDERATION BY	Community and Corporate Overview and Scrutiny Committee on 19 June 2017
WARD	None Specific
DIRECTOR	Andrew Moulton, Head of Governance and Improvement Services

OUTCOME / BENEFITS TO THE COMMUNITY

Overview and Scrutiny is a key part of the checks and balances which ensure that the Council and its partners make and implement effective decisions for the benefit of all the residents of the Borough.

RECOMMENDATION

That the Committee consider the messages in the report relating to the development of an effective Overview and Scrutiny process and apply them to its work during 2017/18.

SUMMARY OF REPORT

As this is the first meeting of the Committee in the 2017/18 municipal year, the Chairman has asked for a short report reminding Members of the key aspects of Overview and Scrutiny and the factors which assist in developing a successful process.

Effective Overview and Scrutiny fulfils a number of roles. It helps to ensure that the Executive and partner organisations make robust, evidence-based decisions in the public interest. To be successful it needs to be seen as independent and impartial with the ability to challenge senior Officers, Members and senior managers in external organisations.

Overview and Scrutiny should also be able to consider evidence from a number of different sources such as Executive Members, Officers, residents, service users, local businesses and external experts. Triangulation of a range of evidence enables the Overview and Scrutiny Committee to carry out robust challenge which increases confidence in key decisions and important service changes. Executive Members and Officers should welcome this type of challenge as part of their roles.

The report highlights a number of examples where Overview and Scrutiny was ineffective and the subsequent impact on vulnerable residents and organisational reputations. It also sets out a number of factors associated with effective and non-effective scrutiny.

The report also highlights key questions which Members and Officers should use in any self-assessment of the Council's Overview and Scrutiny function.

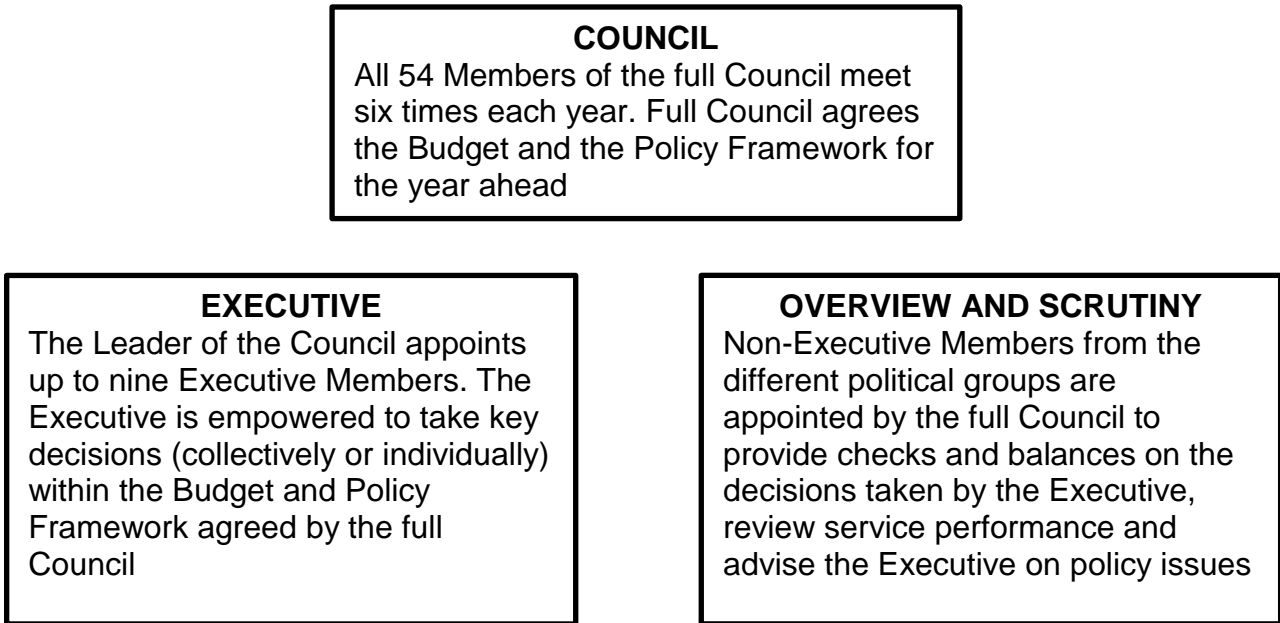
Background

As this is the first meeting of the Committee in the 2017/18 municipal year, the Chairman has asked for a short report reminding Members of the key aspects of Overview and Scrutiny and the factors which assist in developing a successful process.

The role of Overview and Scrutiny can be summarised as:

- Being a “critical friend” - holding the Executive to account by pre and post scrutiny of decisions and “calling in” any decisions causing concern.
- Policy development and review – participating in the development of new policies and reviewing the effectiveness of existing policies.
- Performance monitoring – driving improvement in services by reviewing key indicators which underpin delivery of the Council’s Vision, priorities and plans.
- External scrutiny of public services such as health, crime reduction and community safety and flood risk management.
- Engaging with residents and community groups to ensure that their concerns are heard and are reflected in the Overview and Scrutiny work programme.

Diagram: WBC - Council, Executive and Overview and Scrutiny



When Scrutiny Fails

The need for effective Overview and Scrutiny in local government has been highlighted following a number of major service failures. These include poor care and high mortality rates at the Mid Staffordshire NHS Foundation Trust, child sexual exploitation in Rotherham and major governance failures in Tower Hamlets relating to divisive community politics and mismanagement of public money through the allocation of

Council grants. In each of these cases an Overview and Scrutiny Committee was in place but was unable or unwilling to identify and highlight concerns which could have led to corrective action.

Commons Select Committee 2017

In response to these cases, in January 2017, the Communities and Local Government Select Committee launched an inquiry into Overview and Scrutiny in local government. The inquiry aimed to assess whether Overview and Scrutiny arrangements were working effectively and whether local communities were able to contribute to and monitor the work of local Councils. The terms of reference of the inquiry focused on the following issues:

- Whether Scrutiny Committees in local authorities are effective in holding decision-makers to account;
- The extent to which Scrutiny Committees operate with political impartiality and independence from Executives;
- How Scrutiny Chairmen, Scrutiny Members and items for investigation are selected;
- The potential for local authority Scrutiny to act as a voice for local service users;
- The support given to the Scrutiny function by political leaders and senior officers;
- The effectiveness and importance of the Scrutiny of external organisations.

These questions provide a useful framework for self-evaluation of the Council's Scrutiny arrangements. The Centre for Public Scrutiny (CfPS) has put forward other key questions which help Members to focus on the effectiveness of Overview and Scrutiny, as follows:

- How do I know that the Council and its partners will be able to identify significant problems quickly and take appropriate action?
- Does Overview and Scrutiny have access to accurate, timely information which enables Members to challenge statements about the quality of a service?
- Do Council Officers and partner organisations agree and accept that this is the role of Overview and Scrutiny?

As the CfPS states, elected Scrutiny Members have a unique credibility and legitimacy to exercise this role. It is about Scrutiny Members asking the questions to assure themselves that there are systems in place which ensure that they will be able to trust the data they receive, to know that it is recording the right things, to know that major issues are not being ignored and to know that emerging risks are recognised and acted upon without delay.

Analysis of Issues

Submissions to the Select Committee identified the factors which underpin successful Overview and Scrutiny and factors which weaken the process, as follows:

Factors where Scrutiny has worked well:

- Timely, quality information
- Political support and senior Officer buy-in
- Member interest and curiosity
- Less formal approaches such as private sessions
- Task and Finish Groups.

Factors where Scrutiny has not worked so well:

- Lack of access to, or late information
- Wavering commitment from Executive and senior Officers
- Insufficient Member skill or experience
- Formal, public sessions where Member and Officer candour becomes an issue.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

Other financial information relevant to the Recommendation/Decision

None

List of Background Papers

None

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